

Assembly Bill No. 1784

CHAPTER 163

An act relating to state claims, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor August 28, 2006. Filed with
Secretary of State August 28, 2006.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1784, Chu. State claims.

Existing law requires the Attorney General to report to the Legislature when there is not a sufficient appropriation available for the payment of a claim against the state.

This bill would appropriate specified sums of money from the General Fund to various state agencies to pay a judgment and settlement claims in specified cases. The bill would specify that any funds appropriated in excess of the amounts actually required for these purposes would revert to the General Fund on June 30 of the fiscal year in which the final payment is made.

This bill would declare that it is to take effect immediately as an urgency statute.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. The sum of four hundred fifty thousand dollars (\$450,000) is hereby appropriated from the General Fund to the California Department of Justice to pay for the settlement in the case of Michael Gatti v. Department of Parks and Recreation (Santa Barbara County Superior Court, Case No. 01158947). Any funds appropriated in excess of the amounts actually required for the payment of this settlement claim shall revert to the General Fund on June 30 of the fiscal year in which the final payment is made.

SEC. 2. The sum of nine hundred forty-two thousand dollars (\$942,000) is hereby appropriated from the General Fund to the California Department of Justice to pay for the prefilng settlement in the case of Schoenstein et al. v. Department of Parks and Recreation (Attorney General case file No. SA2005103108). Any funds appropriated in excess of the amounts actually required for the payment of this settlement claim shall revert to the General Fund on June 30 of the fiscal year in which the final payment is made.

SEC. 3. The sum of two hundred thirty-eight thousand five hundred dollars (\$238,500) is hereby appropriated from the General Fund to the Department of Justice to pay for the settlement in the case of Foundation for Taxpayer and Consumer Rights v. Garamendi (Los Angeles County Superior Court, Case No. BS086235). Any funds appropriated in excess of the amounts actually required for the payment of this judgment claim shall revert to the General Fund on June 30 of the fiscal year in which the final payment is made.

SEC. 4. The sum of five hundred forty-three thousand dollars (\$543,000) is hereby appropriated from the General Fund to the Department of Parks and Recreation to pay for the settlement in the case of State Department of Parks and Recreation v. Lake Oroville Area Public Utilities District et al. (Butte County Superior Court, Case No. 124772). Any funds appropriated in excess of the amounts actually required for the payment of this judgment claim shall revert to the General Fund on June 30 of the fiscal year in which the final payment is made.

SEC. 5. The sum of six hundred one thousand dollars (\$601,000) is hereby appropriated from the General Fund to the Department of Housing and Community Development to pay for the settlement in the case of Vega et al. v. Richard Mallory, the California Department of Housing and Community Development et al. (Sacramento County Superior Court, Case No. 97AS06548). Any funds appropriated in excess of the amounts actually required for the payment of this judgment claim shall revert to the General Fund on June 30 of the fiscal year in which the final payment is made.

SEC. 6. The sum of sixty-four thousand two hundred dollars (\$64,200) is hereby appropriated from the General Fund to the California Department of Justice to pay for the settlement in the case of California Republican Party et al. v. Fair Political Practices Commission. (United States District Court for the Eastern District of California, Case No. Civ. S-04-2144 FCD PAN.). Any funds appropriated in excess of the amounts actually required for the payment of this judgment claim shall revert to the General Fund on June 30 of the fiscal year in which the final payment is made.

SEC. 7. The sum of five hundred twenty-five thousand five hundred dollars (\$525,500) is hereby appropriated from the General Fund to the California Department of Justice to pay for the judgment in the case of D & L Concrete Pumping, Inc v. Vahdani Group et al. (City and County of San Francisco Superior Court, Case No. 308131). Any funds appropriated in excess of the amounts actually required for the payment of this judgment claim shall revert to the General Fund on June 30 of the fiscal year in which the final payment is made.

SEC. 8. The sum of one hundred eighty-seven thousand five hundred dollars (\$187,500) is hereby appropriated from the General Fund to the Department of Justice to pay for the settlement in the case of Waverly Clemons et al. v. County of Sacramento et al. (Sacramento County Superior Court, Case No. 346512). Any funds appropriated in excess of

the amounts actually required for the payment of this judgment claim shall revert to the General Fund on June 30 of the fiscal year in which the final payment is made.

SEC. 9. The sum of three million dollars (\$3,000,000) is hereby appropriated from the General Fund to the Department of Forestry and Fire Protection to pay for the settlement in the case of Leo Zupancic v. Department of Forestry, State of California (State of California Workers' Compensation Appeals Board, Case No. SJO 0217754). Any funds appropriated in excess of the amounts actually required for the payment of this judgment claim shall revert to the General Fund on June 30 of the fiscal year in which the final payment is made.

SEC. 10. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to pay judgments and settlement claims against the state and end hardship to claimants as quickly as possible, it is necessary for this act to take effect immediately.